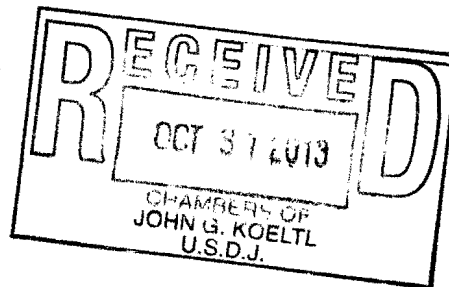


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USDS SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 10/31/2013

October 30, 2013

By Fax to (212) 805-7912 [this page only]
The Honorable John G. Koeltl
United States District Court Judge
United States District Court for the
Southern District of New York
500 Pearl Street
New York, NY 10007



Re: Heyward Dotson v. City of New York, et al.; 13 Civ. 5638 (JGK)

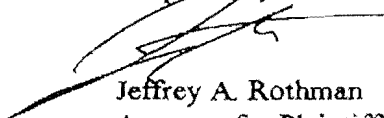
Dear Judge Koeltl:

I am counsel for plaintiff in the above-captioned action, and write to respectfully request that the conference presently scheduled for November 4, 2013 at 11:30 a.m. be adjourned *sine die*. All things being equal, the instant case will be withdrawn pursuant to Fed.R.Civ.P. 41 as part of a settlement with the City of New York and another set of defendants in a case that is presently pending in the Second Circuit, Dotson v. AlliedBarton Security Services, et al., 13-821-cv. As soon as the settlement paperwork in that case is finalized and executed by all parties, and filed, I intend to withdraw the instant action. The defendants have not yet been served in this matter because of the discussions that have been taking place with regard to the settlement of the action pending in the Circuit, which was resolved in principle yesterday.

I am cc'ing Frances Sands, Esq., Deputy Division Chief at the New York City Law Department's Special Federal Litigation Division, as well as Mark Zuckerman, Esq. and Scott Shorr, Esq. at the Law Department, who I am dealing with concerning the settlement in the Circuit.

I thank the Court for its consideration in this matter.

Respectfully submitted,


Jeffrey A. Rothman
Attorney for Plaintiff

cc: Frances Sands, Esq., Mark Zuckerman, Esq., Scott Shorr, Esq. (by email)

The Conference scheduled for 11/4/13 is adjourned to 11/4/14 at 2:30 P.M. So ordered.
10/31/13 per 6/6/13
U.S.D.J.